

FREE STATE REPORTING, INC.  
1006 Cape St. Claire Road  
Annapolis, Maryland 21401

ACKNOWLEDGMENT OF DEPONENT

I, DANIEL F. VAN HORN do hereby acknowledge  
that I have read and examined pages 1 through 74 inclusive,  
of the transcript of my deposition, and that: (check appropriate  
line.)

       The same is a true, correct and complete transcription  
of the answers given by me to the questions therein recorded.

  X   Except for the changes noted on the attached errata  
sheet, the same is a true, correct and complete transcription of  
my deposition.

Dated: 12/30/92 Signed: Daniel F. Van Horn

NOTARY PUBLIC

State of District of Columbia  
County of                                 

On this 30<sup>th</sup> day of December, 1992, before me,  
the undersigned officer, personally appeared DANIEL F. VAN HORN,  
known to me (or satisfactorily proven) to be the person whose name  
is subscribed to within the instrument and acknowledged that he/she  
executed the same for the purposes therein contained.

In witness hereof I hereunto set my hand and official

FREE STATE REPORTING, INC.  
1006 Cape St. Claire Road  
Annapolis, Maryland 21401

# ERRATA SHEET

IN RE: In the Matter of Dixie Broadcasting, Inc.

DEPOSITION OF: Daniel Van Horn

TAKEN ON: December 11, 1992

At the time, the above-named deponent desired to make the following changes:

| PAGE | LINE  | AS TRANSCRIBED             | CHANGE TO                         |
|------|-------|----------------------------|-----------------------------------|
| 4    | 24-25 | ... during -- time...      | ... during my tenure...           |
| 19   | 6 & 9 | back                       | fact                              |
| 21   | 4     | name                       | names                             |
| 21   | 5     | ... Dixie, their...        | ... Dixie, if their...            |
| 26   | 12    | post a, a...               | past purchased a...               |
| 27   | 7     | ... and an...              | ... and that an...                |
| 38   | 24    | ... sources, racial...     | ... sources, race...              |
| 40   | 22    | Sersay (phonetic sp.)      | <del>Sersay</del> searcy          |
| 43   | 11    | reported                   | reporting                         |
| 50   | 8     | record                     | records                           |
| 61   | 1     | ... basically reporting... | ... basically facing reporting... |
| 68   | 3     | ... I come up...           | ... I can come up...              |
| 69   | 7     | ... never any, to my       | ... never any time, to my         |

DATED: 12/30/92 SIGNED: Daniel F. Van Horn

**DBI EXHIBIT 5**

**Dixie Broadcasting, Inc.**

**Equal Employment Opportunity Program**

Original  
All pages  
discussed  
and

EXHIBIT 5

|             |              |   |
|-------------|--------------|---|
| Date        | 92-207       | 5 |
| Place       | DIXIE        |   |
| Disposition | 2/17         |   |
| Reported    | 2/17         |   |
| Reporter    | BARBARA LERO |   |

**DIXIE BROADCASTING, INC.**  
**EQUAL EMPLOYMENT OPPORTUNITY PROGRAM**

**THE ATTACHED EXHIBIT IS BEING PROVIDED**  
**UNDER PENALTY OF PERJURY**

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**DATE**

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**MARK GOODWIN**

DIXIE BROADCASTING, INC.  
EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

The principles of the equal employment opportunity ("EEO") program of Dixie Broadcasting, Inc. ("DBI"), licensee of Stations WHOS(AM) and WDRM(FM), Decatur, Alabama (the "Stations"), are set forth in the Broadcast Equal Employment Opportunity Report dated November 23, 1988 (the "Form 396") included as part of the Stations' renewal applications filed on December 1, 1988 with the Federal Communications Commission ("FCC" or "Commission").

In order to implement the Stations' EEO program and to facilitate periodic evaluation of the program's effectiveness, DBI has established the following procedures and designated two of its employees -- Mark Goodwin (general sales manager) and James K. Bramlett (assistant EEO officer) -- to carry them out, subject to the ultimate supervision of the Stations' general manager, J. Mack Bramlett.

1. An "EEO Policy Statement" and a "Notice to Employees and Applicants for Employment Regarding Station WDRM's EEO Policy and Program" are posted in a conspicuous location at the Stations. Copies of these notices, which are modeled after the sample notice in the 1989 NAB publication titled "A Broadcaster's EEO Handbook" (the "NAB Handbook") are attached hereto as Attachment 1.

2. Job applicants are asked to complete an employment application. A copy of the Stations' employment application, which was provided by the NAB, is attached hereto as Attachment 2.

3. The Stations periodically send out notices to potential recruitment sources asking whether they will refer applicants when notified of job openings, and enclosing a self-addressed, stamped postcard for such sources to return acknowledging receipt of the letter. A copy of such a letter and postcard, modeled after the sample forms in the NAB Handbook, are attached as Attachment 3.

4. For each hiring opportunity, notices are sent out to approximately 20 recruitment sources and advertisements are placed in local newspapers of general and minority and female circulation. Copies of illustrative notices and ad requests, modeled after the sample forms in the NAB Handbook, are attached hereto as Attachment 4.

- Copies of all letters to recruitment sources and notes of telephone contacts and meetings held with recruitment sources are retained.
- Copies of all advertisements and postings of the position are retained.
- Information about any other recruitment efforts undertaken is noted.

5. When resumes or job applications are received relative to



each person applying for an opening and the disposition of each person's application.

6. Pertinent information with respect to each applicant is provided on an EEO Data Form. A copy of this form, modeled after the form in the NAB Handbook, is attached hereto as Attachment 6. The information gathered is kept separate from the applicant files while the applicant remains under active consideration for any position. The applicant is informed that the information is required for FCC reporting purposes and will not be used for any other purpose. For those applicants who walk into the Station, the race and sex is determined from visual observation. For those who apply by mail for advertised positions, the Stations send a letter to the applicant (a sample of which is attached hereto as Attachment 7) acknowledging receipt of the application and asking them to complete and return the EEO Data Form to the Stations.

7. Documentation is kept on the responses received directly from each referral source, whether in the form of correspondence or notes from meetings with or telephone calls to the sources.

8. The effectiveness of each source is periodically evaluated based upon the foregoing records and adjustments are made as necessary.

9. Files relating to all kind of personnel and other EEO





petition to deny DBI's 1988 renewal applications. This agreement has been approved by the FCC but its terms are not yet effective. Nonetheless, the Stations have been abiding by the operating provisions set forth in paragraphs 1.1 through 1.4 thereof, including contacting the Decatur Branch of the NAACP and other sources recommended by the NAACP when there are job openings, operating a minority internship program and meeting annually with NAACP representatives with respect to the Stations' EEO program.

\* \* \* \* \*



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ALL-STATE / FGA / SUPPLY CO.

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# EEO POLICY STATEMENT

It is the policy of Station WDRM to provide equal

# **Notice to Employees and Applicants For Employment Regarding Station WDRM's EEO Policy and Program**

**It is the policy of Station WDRM to provide equal employment opportunity to all qualified individuals without regard to race, color, religion, national origin, age or sex in all personnel actions including recruitment, evaluation, selection, promotion, compensation, training, discipline, and termination.**

**It is also the policy of Station WDRM to promote the realization of equal employment opportunity through a positive, continuing program of specific practices designed to ensure the full realization of equal employment opportunity without regard to race, color, religion, national origin or sex.**

**To make this policy effective, and to ensure conformance with the Rules and Regulations of the Federal Communications Commission, we have developed an Equal Employment Opportunity Program. Copies of our Equal Employment Opportunity Program are available to all interested persons in the WDRM office.**

**We would like to ask your cooperation and assistance in our efforts to recruit, hire and promote qualified women and minorities. In this regard, if you know of individuals who might be interested in and qualified to work at the station, we encourage you to refer them to us.**

**All Applicants and employees are entitled to equal opportunity. If you believe you have been discriminated against, you have the right to notify the Federal Communications Commission, 1919 M Street, S.W., Washington, D.C. 20554; the Equal Employment Opportunity Commission, 1900 8th Avenue, North, Birmingham, AL 35203.**



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ALL-STATE FLOW SUPPLY CO. 1-800-222-0510

This station is an equal opportunity employer. This station seeks and employs qualified persons in all job classifications and positions without discrimination on the basis of race, religion, sex, national origin, age or disability. Such discriminatory practices are specifically prohibited by law. If you believe your equal employment rights have been violated, you may contact the Federal Communications Commission, the Equal Employment Opportunity Commission or the appropriate state or local EEO agency.

| LAST NAME   |      | FIRST NAME       |  | ML             | SOCIAL SECURITY NO. |                |                    |
|---|------|------------------|--|----------------|---------------------|----------------|--------------------|
| STREET ADDRESS  |      |                  | CITY   | STATE          | ZIP CODE            | TELEPHONE NO.  |                    |
| ARE YOU 18 YEARS OF AGE OR OLDER? <input type="checkbox"/> YES <input type="checkbox"/> NO  |      | POSITION DESIRED |  | SALARY DESIRED |                     | DATE AVAILABLE |                    |
| DO YOU HAVE A FCC RESTRICTED RADIO TELEPHONE OPERATOR PERMIT?<br><input type="checkbox"/> YES <input type="checkbox"/> NO   |      |                  | WORD/DATA PROCESSING EQUIPMENT YOU CAN OPERATE |                | TYPING WPM          | SHORTHAND WPM  |                    |
| DO YOU HAVE THE ABILITY TO PERFORM THE SPECIFIC JOB FUNCTIONS OF THE POSITION FOR WHICH YOU ARE APPLYING? <input type="checkbox"/> YES <input type="checkbox"/> NO<br>IF YES, ARE YOU ABLE TO PERFORM THESE TASKS WITH OR WITHOUT AN ACCOMMODATION? <input type="checkbox"/> WITH <input type="checkbox"/> WITHOUT<br>IF YOU CAN PERFORM THESE TASKS WITH AN ACCOMMODATION, HOW WOULD YOU PERFORM THESE TASKS, AND WITH WHAT ACCOMMODATION? |      |                  |  |                |                     |                |                    |
| ARE YOU LEGALLY ELIGIBLE FOR EMPLOYMENT IN THE U.S.? <input type="checkbox"/> YES <input type="checkbox"/> NO   |      |                  |  |                |                     |                |                    |
| HAVE YOU EVER BEEN CONVICTED OF A FELONY RELATED TO YOUR ABILITY TO PERFORM IN THE JOB FOR WHICH YOU ARE APPLYING? <input type="checkbox"/> YES <input type="checkbox"/> NO<br>IF YES, PLEASE EXPLAIN. (CONVICTION RECORD IS NOT NECESSARILY A BAR TO EMPLOYMENT. RELEVANT FACTORS WILL BE EVALUATED.)  |      |                  |  |                |                     |                |                    |
| <b>EMPLOYMENT HISTORY. LIST ALL EMPLOYMENT SINCE HIGH SCHOOL, LAST POSITION FIRST.</b>  |      |                  |  |                |                     |                |                    |
| NAME OF EMPLOYER  | FROM |                  | TO   |                | POSITION            | SUPERVISOR     | REASON FOR LEAVING |
|   | MO.  | YR.              | MO.  | YR.            |                     |                |                    |
| 1. _____  |      |                  |  |                |                     |                |                    |
| 2. _____  |      |                  |  |                |                     |                |                    |
| 3. _____  |      |                  |  |                |                     |                |                    |
| 4. _____  |      |                  |  |                |                     |                |                    |
| 5. _____  |      |                  |  |                |                     |                |                    |
| 6. _____  |      |                  |  |                |                     |                |                    |
|   |      |                  |  |                |                     |                |                    |
|   |      |                  |  |                |                     |                |                    |
| <b>LIST EDUCATION, TRAINING, AND EXPERIENCE RELEVANT TO THE POSITION APPLIED FOR</b>  |      |                  |  |                |                     |                |                    |
| 1. _____  |      |                  |  |                |                     |                |                    |
| 2. _____  |      |                  |  |                |                     |                |                    |
| 3. _____  |      |                  |  |                |                     |                |                    |
| 4. _____  |      |                  |  |                |                     |                |                    |
| 5. _____  |      |                  |  |                |                     |                |                    |

I certify that the statements I have made are true to the best of my knowledge and I authorize the licensee to investigate the accuracy and completeness of the information provided.

SIGNATURE OF APPLICANT \_\_\_\_\_

DATE \_\_\_\_\_

**Applicants should not fill out this side of blank.  
It is for office use if applicant is employed.**

## EMPLOYMENT RECORD

|                 |                 |   |
|-----------------|-----------------|---|
| EMPLOYEE'S NAME |                 | EMPLOYED<br><input type="checkbox"/> FULLTIME (As of _____)<br><input type="checkbox"/> PART TIME (As of _____)<br><input type="checkbox"/> TEMPORARY (As of _____) |
| DATE HIRED      | DATE TERMINATED |   |

Make new entry on separate line for each change in rate and/or duties

| JOB TITLE | DATES WORKED IN<br>FROM TO | RATE OF PAY |
|-----------|----------------------------|-------------|
|           |                            |             |
|           |                            |             |
|           |                            |             |
|           |                            |             |
|           |                            |             |
|           |                            |             |

**IN CASE OF EMERGENCY CONTACT:**

|      |              |         |           |
|------|--------------|---------|-----------|
| NAME | RELATIONSHIP | ADDRESS | PHONE NO. |
|------|--------------|---------|-----------|

Reason for Leaving: \_\_\_\_\_

Supervisor's Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Item 64245

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Signed \_\_\_\_\_

Date \_\_\_\_\_



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ALL STATE LEGAL SUPPLY CO.



# COUNTRY 102-FM WDRM

HUNTSVILLE  
ALABAMA

401 14th Street, S.E.  
Decatur, AL 35601

P.O. Box 789  
Decatur, AL 35602

Decatur (205) 353-1750  
Huntsville (205) 837-1021  
FAX (205) 355-8013

Date

{SALUT} {FNAME} {LNAME}  
{TITLE}  
{COMPANY}  
{ADDRESS}  
{CITY}, {STATE} {ZIP}

Dear {SALUT} {LNAME}:

Station WDRM is an Equal Opportunity Employer. From time to time, we have job openings at our station which require a variety of skills and talents. We encourage members of minority groups and women to apply for these positions, and we seek your help in referring minorities and women to us.

We will be contacting you as job openings arise at our station. In the meantime, if you know of minority group members and/or women who might be interested in working at our station, please do not hesitate to refer them directly to me. In the event you do not presently know of any such candidates, please refer them to me whenever they come to your attention.

If you are aware of any other organization which may be of assistance to us in this regard, I would also appreciate having its name and address. I am enclosing a self-addressed, stamped postcard, and ask that you complete and return it to me to acknowledge receipt of this letter.

Thank you for your assistance.

Sincerely,

**J. MACK BRAMLETT**  
General Manager

*This is to acknowledge that I have received a letter from Station WDRM, seeking female and minority referrals for job openings at the station.*

|  |         |
|--|---------|
| Signature  | Date    |
| The following action (has been) (will be) taken: |         |
|  |         |
|  |         |
| Other Organizations to contact:                  |         |
| Name   | Address |
|  |         |
|  |         |
|  |         |



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ALL-STATE LEGAL SUPPLY CO. 1-800-222-0510 FD11

# COUNTRY 102-FM WDRM

HUNTSVILLE  
ALABAMA

401 14th Street, S.E.  
Decatur, AL 35601

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P.O. Box 789  
Decatur, AL 35602

---

Decatur (205) 353-1750  
Huntsville (205) 837-1021  
FAX (205) 355-8013

date

{SALUT} {FNAME} {LNAME}  
{TITLE}  
{COMPANY}  
{ADDRESS}  
{CITY}, {STATE} {ZIP}

Dear {SALUT} {LNAME}:

Re: *Professional Employment Opportunity*

Station WDRM is an Equal Opportunity Employer. WDRM is now accepting applications and resumes from applicants for the position of (job title).

If you know of any male or female minority group members who might be interested in working at our station, please don't hesitate to refer them directly to me. If you are aware of any other organizations which may be of assistance to us in this regard, I would appreciate have its name and address.

Sincerely,

**J. MACK BRAMLETT**  
General Manager

# COUNTRY 102-FM WDRM

HUNTSVILLE  
ALABAMA

401 14th Street, S.E.  
Decatur, AL 35601

P.O. Box 789  
Decatur, AL 35602

Decatur (205) 353-1750  
Huntsville (205) 837-1021  
FAX (205) 355-8013

February 13, 1992

To: Calvin Miller  
Advertising Manager,  
Speakin' Out News

From: J. Mack Bramlett, *J.M.B.*  
General Manager  
WDRM-WHOS Radio

Please run the following ad in the next issue of  
Speakin' Out News.

## **Air Talent**

**WDRM-WHOS seeks applicants to fill Air Talent positions. Applications are taken between 8:30am and 5:00pm at the offices of WDRM-WHOS at 401 14th Street, SE in Decatur, Alabama. Resumes may be submitted to Manager, WDRM-WHOS, Box 789, Decatur, AL 35602. WDRM-WHOS is an equal opportunity employer.**



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FD11

1-800-272-0510

ALL-STATE LEGAL SUPPLY CO.

Date Prepared \_\_\_\_\_

[illegible]

\*\*1-Interviewed, no offer  
 2-Interviewed, offer extended, and hired  
 3-Interviewed, offer extended, but rejected



REC'D

ED11

900 222 0510

ALL-STATE LEGAL SUPPLY CO.



# EEO Data Form

NOTE: The data requested by this form will assist us in complying with equal employment opportunity obligations. This form will be maintained in a file separate from your resume and/or employment application. The information you provide on this form will not be available to the person who evaluates your employment application, and will not be used in any way in determining whether to offer you employment. Part B of the form will not be completed until after a decision on your application has been made, and, if an offer of employment is made, until after you have accepted or rejected the offer.

## PART A

NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

REFERRED BY: \_\_\_\_\_

RACE:

- ☐ American Indian or Alaska Native
- ☐ Asian or Pacific Islander
- ☐ Black, not of Hispanic Origin
- ☐ Hispanic or Spanish Surnamed
- ☐ White, not of Hispanic Origin

SEX:      ☐ Female      ☐ Male

## PART B

POSITION FOR WHICH APPLICANT APPLIED:

HIRED:    ☐ Yes    ☐ No

IF NO, REASONS: \_\_\_\_\_

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IF OFFER MADE AND REJECTED, REASONS GIVEN BY APPLICANT:

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